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House Passed CLEAR Act Strengthens Regulations and Oversight of both Onshore and Offshore Oil and Gas Exploration and Drilling

Includes Arcuri Language Removing "Sweetheart" Exemption from Clean Water Act Protections

AUBURN, NY -Today, U.S. Rep. Michael Arcuri (NY-24) was joined by Mayor of Auburn Michael D. Quill, other local officials and environmental advocates for a press conference at Owasco Lake to discuss *the Consolidated Land, Energy, and Aquatic Resources (CLEAR) Act (H.R. 3534)*, which strengthens regulations and oversight of the oil and natural gas industries in order to prevent a future environmental disaster like the BP Deepwater Horizon's oil spill that devastated the Gulf of Mexico. After calling on House Leadership to include protections to guard against onshore drilling disasters as well, the final bill included language authored by Arcuri that would strip away one of the "sweetheart" exemption from our nation's environmental laws currently enjoyed by the oil and natural gas industries.

"Oil and natural gas drilling accidents that occur onshore can be just as environmentally devastating as those that occur offshore," **said Arcuri**. "If the BP oil spill has taught us anything, it is that big oil and gas are incapable of regulating themselves, and that it is imperative for Congress to act swiftly to enact additional reforms and oversight in order to prevent a future disaster from occurring. Protecting against both onshore and offshore drilling accidents is especially important as New York State considers rules for the development of natural gas reserves in the Marcellus Shale Formation."

"What would the City of Auburn and the surrounding communities do if Owasco Lake was suddenly contaminated due to a drilling mishap," **questioned Auburn Mayor Quill**. "It is our duty and obligation to preserve and protect Owasco Lake along with the other Finger Lakes, not just Skaneateles Lake and the NYC watershed. We thank Congressman Arcuri for his

leadership in this regard and we look forward to working with him on this project and many others".

"I am delighted that Congressman Arcuri took action in moving this legislation forward," **said Dr. Joe Wasileski, President of the Owasco Watershed Lake Association**

. "As OWLA President, I speak for all 600 members when I say we are delighted that our lake is included with many other American lakes. This is a great step in protecting the Finger Lakes from oil and gas exploration. I took notice that the Congressman was 'appalled' with [DEC Commissioner] Peter Grannis' decision to exempt Skaneateles Lake-and I strongly agree with Mike. We should include all Finger Lakes with those in Syracuse and New York City in protecting the water. We must end this discrimination and be treated 'on par' with all other lakes."

Arcuri's language would help protect surface water from drilling site runoff contamination by removing the special exemption from the Environmental Protection Agency's (EPA) stormwater permit requirements under *the Clean Water Act* for construction of drilling sites. This exemption was given to the oil and natural gas industries as part of the 2005 Energy Bill. Arcuri's language, originally offered as an amendment to the House Committee on Transportation and Infrastructure's *Oil Spill Accountability and Environmental Protection Act of 2010* (H.R. 5629), was incorporated into the final version of *the CLEAR Act*, which passed in the U.S. House of Representatives on July 30, 2010.

Arcuri added, "This is about holding big oil and gas to the same environmental standards as every other industry to prevent unnecessary runoff from construction sites that contaminates our rivers, lakes and streams. By giving them a pass on this important regulation, we're essentially assuming they will take the necessary environmental precautions on their own. I didn't like oil companies being able to 'self-certify' that they have adequate response plans for deep water drilling and I don't like this exemption from stormwater run-off protections when constructing onshore drilling rigs either."

Before 2005, EPA had begun to issue stormwater regulations for the construction of oil and gas drilling sites. In the middle of this process, the Energy Policy Act of 2005 was signed into law, giving the oil and gas industries a permanent exemption for all construction activities related to oil and gas exploration and production.

These construction activities can contribute more sediment runoff than would otherwise be deposited over several decades, causing physical and biological harm to our lakes, rivers, streams and bays. Every other type of development is required under law to get a permit from EPA that covers stormwater management during construction - except for the oil and gas industries.

Arcuri added, "Say you are a farmer building a new barn on your property, or a homebuilder developing a new subdivision, or for that matter, building a single home-you need a stormwater runoff permit from the EPA before you can begin anything. It's mind-boggling that every single form of development and construction requires a permit from the EPA to ensure our surface water is protected from contamination except for oil and gas drilling and exploration sites."

As New York State moves towards the development of natural gas reserves in the Marcellus Shale deposit, Arcuri insists that we must guard against a rush to drill that could irreparably damage our most precious natural resource-our abundant supply of clean drinking water.

In January, Arcuri called for the New York State Department of Environmental Conservation (NYSDEC) to withdraw its draft Supplemental Generic Environmental Impact Statement (dSGEIS) he believes it does not go far enough to protect Upstate New York's water.

In April, Arcuri expressed outrage at DEC Commissioner Peter Grannis' decision to exempt the New York City and Skaneateles Lake watersheds from potential natural gas exploration because of watershed contamination concerns.

Arcuri said, "I find it incredibly hard to believe that hydrofracking isn't safe enough for those closer to Syracuse and New York City but is safe enough for more than 50,000 Cayuga County residents who rely on the Owasco Lake watershed for drinking water or the countless others in more rural areas that rely completely on well water."

Additionally, *the CLEAR Act* takes immediate steps prevent and respond to offshore oil spills including:

- Requiring more thorough environmental analysis at all stages of the offshore oil and gas

leasing process;

- Requiring offshore oil rigs to use best available safety technologies, including blowout preventers and emergency shut-off systems;
- Removing the statutory limitation on companies' financial liability for offshore oil spills to ensure that responsible companies are held fully accountable for their disastrous spill; and,
- Providing for oil & gas royalty payments to fund the Land & Water Conservation Fund (LWCF) and the Historic Preservation Fund, and creating of the Ocean Resources Conservation and Assistance Fund (ORCA).

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